

### **III. REMARKS/ARGUMENTS**

#### **A. Status of the Application**

Claims 5-8 and 25-29 are pending herein. Claims 25-29 are added by this Amendment Under 37 C.F.R. §1.312 to enhance Applicant's patent portfolio with claims of varying scope. Applicant's patent portfolio regarding the current subject matter is such that diversity of claims is commercially advantageous.

This application is in condition for allowance based on the Notice of Allowance mailed March 10, 2006. The issue fee for this application is being paid concurrently with the filing of this Amendment Under 37 C.F.R. §1.312.

#### **B. Personal Interview Conducted on February 27, 2006**

Applicant's counsel and Mannatech's corporate representative wish to thank Examiners Flood and McKelvey for their time and the courtesies extended during the personal interview conducted on February 27, 2006. As discussed during the interview, Applicants will be permitted to submit by Amendment Under 37 C.F.R. §1.312 claims that depend from and are narrower in scope than allowed claims 5-8.

#### **C. New Claims 25-29**

New dependent claims 25-29 are directed to dietary supplement compositions and depend from allowed claim 5. As the Examiner has authority to enter amendments submitted after the mailing of a Notice of Allowance when such amendments do not affect the scope of the claims as allowed, Applicants request that this Amendment Under 37 C.F.R. §1.312 be entered without withdrawing the case from issue. This Amendment Under 37 C.F.R. §1.312 adds claims 25-29 all of which depend from and are narrower in scope than the allowed claims, namely claims 5-8. As discussed during the personal interview conducted on February 27, 2006, the isolated and purified acetylated mannose and the isolated and purified saccharides are obtained in nutritionally effective amounts by digestion from the sources listed in claim 28 and paragraphs [0031], [0033], [0042], [0043] and [0046] of the present application. Also, support for claims 5-8 and 26 is found in Example 3, paragraphs [0064-0065] and Example 5, paragraphs [0071-0072] of the present application. In addition, claims 25-27 largely correspond to original claims

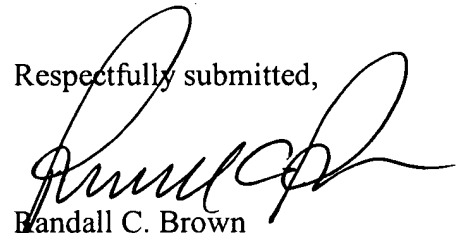
18-19 and 23, respectively. Claims 25-29 are clearly supported by the enabling disclosure, specifically at paragraphs [0053], [0064-0065] and [0071-0072], [0027] and [0061], [0031], and [0043] of the present application, respectively. As discussed during the personal interview with Examiners Flood and McKelvey conducted on February 27, 2006, favorable consideration would be given to claims that meet the requirements noted above.

In addition, Applicant submits that none of the art of record discloses, motivates or suggests the subject matter of claims 25-29. Accordingly, favorable consideration and allowance of claims 25-29 are respectfully requested.

**D. CONCLUSION**

In view of the foregoing, it is respectfully submitted that claims 5-8 and 25-29 are in condition for allowance. Should the Examiner deem that an interview with Applicant's undersigned attorney would expedite consideration of claims 25-29, the Examiner is invited to call the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

  
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